THE WHOLE
ARTICLES
OF
PEACE;
WITH THE
TREATY
OF
Trade and Commerce
BETWEEN

The most Serene and most Potent Princess *Anne*, by the Grace of God, Queen of *Great Britain*, *France* and *Ireland*: And the most Potent Prince, *Lewis* XIV. the most Christian King.

AS ALSO

The Full Powers and Commissions Granted to the Ambassadors at *Utrecht*, for Concluding the same on 31st of *March*, and the 11th of *April*. 1713

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A TREATY OF Peace and Friendſhip, &c.

WHEREAS it has pleas'd Almighty God, for the Glory of his Name, to direct the Minds of Kings, for the healing of the Miſeries of the Waſted World, that they are diſpoſed towards one another with a mutual Deſire of making Peace: Be it therefore known to all whom it may Concern, That by his Divine Guidance, the moſt Serene Lady ANNE, by the Grace of God, Queen of Great Britain, France and Ireland, And the moſt Serene Prince Lewis XIV. by the Grace of God, the moſt Chriſtian King, conſulting as well the Advantage of their Subjects, as providing for the perpetual Tranquility of the whole Chriſtian World; have reſolved, at laſt, to put an End to the War, which was unhappily kindled, and has been obſtinately carried on above theſe Ten Years, being both Cruel and Deſtructive by the frequency of Battles, and Effuſion of Chriſtian Blood, Have, of their own proper Motion, and Paternal Care of their own Subjects, and the Publick Weal of Chriſtendom, Nominated and Appointed the moſt Noble and Excellent Lords, Their Royal Majeſties reſpective Ambaſſadors Extraordinary, and Plenipotentiaries, Viz. Her Sacred Royal Majeſty of Great Britain, the Right Reverend, John Lord Biſhop of Briſtol, Keeper of the Privy Seal of England, one of the Privy Council, Dean of Windſor, and Regiſter of the moſt Noble Order of the Garter; As alſo the Illuſtrious and Excellent Lord, Tho. Earl of Strafford, and Baron of Raby, one of the Privy Council, the Queen's Ambaſſador Extraordinary, and Plenipotentiary to the States of Holland Coll. of the Royal Regiment of Dragoons, Lieutenant General of Her Majeſties Forces, First Lord Commiſſioner of the Admiralty of Great Britain, and Knight of the Garter: And his Sacred Royal moſt Chriſtian Majeſty, the moſt noble and Excellent Lords, Nicholas Marquiſs of Huxelles, Mareſchal of France, Knight of the King's Order, and Lieutenant General of the Dukedom of Burgundy; and Nicholas Meſnager Knight of the King's Order of St. Michael; and have furniſhed the ſaid Ambaſſadors Extraordinary with full Power to Treat, agree of, Conclude a firm and laſting Peace between their Royal Majeſties. Wherefore the ſaid Ambaſſadors, after divers and Important Conſultations had in the Congreſs at Utrecht for that purpoſe, have at lenth overcome, without any Mediator, all Obſtacles which hinder'd the End and Deſign; and having invok'd the Divine Aſſiſtance to preſerve their Work, and to prolong it to the lateſt Poſterity; and having mutually Exchanged their Full Powers, and delivered Copies, which are inserted Word for Word at the End of this Inſtrument, have agreed on the Conditions of Peace and Friendſhip between their above Mention'd Majeſties, and their People and Subjects, as follows.

The

The ARTICLES of PEACE.

I.

THat there be an Universal Perpetual Peace, and a true and sincere Friendship between Our Sovereign Lady *ANNE*, Queen of *Great Britain*, and *Lewis* XIV. the most Christian King, and their Heirs and Successors, as also the Kingdoms, States and Subjects of both, as well without as within *Europe*; and that the same be so sincerely and inviolably preserved and Cultivated, that the one do promote the Interest Honour and Advantage of the other; and that a faithful Neighbour on all sides, and a secure Cultivating of Peace and Friendship do daily Flourish and Encrease.

II.

That all Enmity, Hostilities, Discords, and Wars between the said Queen of *Great Britain*, and the most Christian King, and their Subjects, do Cease and be Abolished, so that on both sides they do desist from all Plundring, Injuries and Anoyances whatsoever; as well by Land as by Sea in all Parts of the World belonging to their Dominions and Territories on either side.

III.

All Offences, Injuries and Damages, which the aforesaid Queen of *Great Britain*, and her Subjects, or the aforesaid most Christian King, and his Subjects, have suffer'd the one from the other, during this War, shall be buried in Oblivion, so that neither under the Pretence thereof, or of any other thing, shall not do, or suffer to be done to each other, any Hostility or Damage by themselves or others secretly or openly, under Colour of Right, or by way of Fact directly or indirectly.

IV.

Furthermore, for Adding a greater strength to the Peace which is Restor'd, and to the Amity, which is never to be Violated, and for cutting off all Occasions of Distrust which might at any time arise from the Established Right and Order of the Hereditary Succession to the Crown of *Great Britain*, and the Limitation thereof by the Laws of *Great Britain*, (made and Enacted in the Reigns of the late King *William* III. of Glorious Memory, and of the present Queen) to the Issue of the above said Queen, and in Default thereof, to the most Serene Princess *Sophia*, Dowager of *Brunswick-Hanover*, and her Heirs in the Protestant Line of *Hanover*: That the said Succession may remain Safe and Secure, the most Christian King does solemnly Acknowledge the Limitation of the Succession to the Kingdom of *Great Britain* as aforesaid, and on the *Faith* and *Word* of a King, on the Pledge of his Own and his Successors Honour, he does declare and Engage, That he Accepts and Approves the same; and that his Heirs and Successors do, and shall accept and approve the same for ever. And under the same Obligation of the *Word* and *Honour* of a King, the most Christian King promises, That no one besides the Queen her Self, and her Successors, according to the Series of the said Limitation, shall ever by him, or by his Heirs or Successors, be acknowledged, or reputed to be King or Queen of *Great Britain*. And for adding Credit to the Acknowledgement and Promises, the most Christian King does Engage, That whereas the Person, who in the Lifetime of the Late King *James* II. did take upon him the Title of Prince of *Wales*, and since his Decease, that of the King of *Great Britain*, is lately gone, of his own accord, out of the Kingdom of *France*, to reside in some other place; He the aforesaid most Christian King, his Heirs and Successors will take all possible care, that he shall not at any time hereafter, or under any Pretence whatsoever, return into the Kingdom of *France*, or any the Dominions thereof.

V.

Moreover the most Christian King promises; as well in his own Name, as in that of his Heirs and Successors, That they will not disturb the Queen, her Heirs and Successors descended from the said Protestant Line, who possesses the Crown of *Great Britain*, and the Dominions belonging thereto; Neither will the said King, or any of his Heirs give Aid, Succour, Favour, or Counsel by Land or by Sea, or in Money, Arms, Soldiers or Sea-men, or any other way whatsoever, or under any pretext endeavour to oppose the said Succession by open War, or forming Conspiracies against such Prince or Princes in possession of the Throne of *Great Britain*, by Vertue of the Acts of Parliament as aforesaid; or against the Prince or Princes to whom the Succession of the Crown shall be upon according to the said Acts of Parliament.

VI.

Whereas the most Destructive Flame of War, which is to be extinguish'd by this Peace, arose chiefly from thence, That the Security and Liberties of *Europe* could by no means bear the Union of the Kingdoms of *France* and *Spain* under one and the same King: And whereas it has at length been brought to pass, by the Assistance of the Divine Power, upon the most earnest Instances of her Sacred Majesty of *Great Britain*, and with the Consent both of the most Christian and of the Catholick King, that this Evil should in all times to come, be obviated, by means of Renunciations drawn in the most

effectual Form, and Executed in the most Solemn manner; the Tenor whereof is as follows..

The Letters Patents, by the KING,

Which Admit the Renunciation of the King of Spain *to the Crown of* France, *and those of the Duke of* Berry, *and of the Duke of* Orleans, *to the Crown of* Spain.

LEWIS by the Grace of God King of *France* and *Navarre*, to all present, and to come Greeting. During the various Revolutions of a War, wherein We have fought only to maintain the Justice of the Rights of the King, our most Dear and most Beloved Grandson to the Monarchy of *Spain*, we have never ceased to desire Peace, the greatest Successes did not at all dazel us, and the contrary Events, which the Hand of God made use of, to try us, rather then to destroy us, did not give Birth to that defference in us, but found it here. But the Time marked out for the Repose of *Europe* was not yet come, the distant Fear of seeing one Day our Crown, And that *Spain*, upon the Head of one and the same Prince, did always make an equal Impression on the Powers United against us; and this Fear which had been the Cause of the War, seem'd to lay also an Insuperable Obstacle in the way to Peace. At last, after many fruitless Negotiations, God being moved with with the Groans and Sufferings of many People, was pleased to open a surer way to come at so difficult a Peace. But the same Alarms still subsisting, the first and principal Condition proposed by our dearest Sister, the Queen of *Great Britain*, as the essential Foundation of Treating, was, That the King of *Spain*, our Grandson, should Renounce, for himself and his Descendants for ever, the Right to our Crown of *France*, That the Duke of *Berry* our Grandson, and our Nephew the Duke of *Orliens*, should for themselves and their Descendants renounce their Rights to the Monarchy of *Spain* and the *Indies*. That without this Assurance, *Europe* would never be at Peace; and that it would be for their common Interest and Security to continue the War, if otherwise, dreading the same Princes becoming in one Day, Master of two so Powerful Monarchies as *France* and *Spain*: But the Queen of *Great Britain*'s Indefatigable Zeal for re-establishing the General Tranquility, we cannot sufficiently Praise, and she was sensible of all the Reluctancy, we had to consent to the Exclusion of one of our Children, if the misfortune of another of our Family should be taken from us, as our dearest Dauphin was; that the Queen weighing well all these things, gentler means of securing the Peace was proposed to the King of *Spain*, and other Dominions inferiour indeed to those he possesses, which wou'd the more increase under his Reign, and by that means he would preserve his Rights, and annex to our Crown the rest of the said Dominions if he came to succeed us; we employ'd the strongest Reasons to perswade Queen *Anne* to accept this Alternative; but all our Efforts made for the preserving him to *France* produced nothing but reiterated Refusals on his part, ever to abandon his Faithful Subjects of *Spain*; so that persisting with an invincible firmness, he declared in the Meeting of the Estates of the Kingdom of *Spain*, assembled at *Madrid* for that purpose, That for obtaining a General Peace, and securing the Tranquility of *Europe* by a Ballance of Power, the said King of *Spain* of his own proper Motion, of his own free Will, and without out any constraint, Renounced for himself his Heirs and Successours for ever and ever, all Pretensions, Rights and Titles, which he, or any of them have at present or may have at any time to come whatsoever to the Succession of our Crown of *France*, that he held for, Excluded therefrom himself, his Children, Heirs and Descendants for ever; and declared that he desisted particularly from the Right which has been added to that of his Birth by our Letters Patents of the Month of *December* 1700. We are sensible how much it were to be desired that a General Peace could have been concluded without a Renunciation which makes so great a change in your Royal House, and in ancient Order of succeeding to our Crown, but we are yet more sensible howmuch it is our Duty to secure speedily to our Subjects a Peace which is so necessary for them; we shall never forget the Efforts which they made for us during the long continuance of a War, which we could not have supported, if their Zeal had not been much more extensive than their Power: The welfare of such a faithful People, is to us a supreme Law, and it is to this Law, that we this Day Sacrifice the Right of our Grandson, by the price which the General Peace will cost our free Love, we shall have the Confort of shewing our Subjects, that even at the Expence of our Blood, they will have always the first Place in our Hearts.

For these Causes and other Important Considerations, us thereunto moving; having seen in our Council in the Acts of Renunciations of all the said Persons aforesaid, of the fifth of *November* last, made Reciprocally of their Rights

of

of the Crown of *Spain*, in consequence of the Renunciation of the said King of *Spain*, annexed with a Copy of the said Letters Patents of the Month of *December* 1700. under the Counter Scale of our Chancery, we do Declare, Decree, and Ordain, That the said Act of Renunciation of the said King of *Spain*, of the Duke of *Berry*, and of the Duke of *Orleans*, we admit to be Regiſter'd in all our Courts of Parliament, and Chambers of our Accounts in our Kingdom to be executed in their Form; and we will, that our said Letters Patents of the Month of *December* 1700. be made Null and Void, as if they had never been; that in Conformity of the said Acts of Renunciation, the King of *Spain* and his Succeſſors, be henceforth look'd upon as Excluded from our Succeſſion for ever, and look'd upon as incapable of enjoying the ſame, and the Rights thereof remain transfer'd to the Duke of *Berry* and to his Children and Deſcendants, being Males, born in Lawful Marriage, and Succeſſively in Failure of them to thoſe of the Princes of our Royal Houſe, and their Deſcendants, who in Right of their Birth, or by the Order eſtabliſh'd ſince the Foundation of Our Monarchy, ought to ſucceed to our Crown; and we command our Parliament at *Paris*, That the Acts of Renunciations as aforeſaid to be Read, Publiſhed and Regiſtred according to Form, notwithſtanding any Laws contrary thereunto.

And to the End, this may be Firm and Laſting for ever, we have cauſed our Seal to be affixed to theſe preſents. Given at *Verſailles* in the Month of *March Anno* 1713, and in the Seventieth Year of our Reign, Signed *Lewis* underneath, by *Phelypeaux*. At *Paris* in Parliament 15th *March* 1713.

Signed

DONGOIS.

The KING.

WHEREAS on the Fifth of *November* 1712. before *Don Manuel* of *Vadillo* and *Velaſco*, my Secretary of State, and chief Notary of the Kingdoms of *Caſtile* and *Leon*, and Witneſſes, I deliver'd Swore to and Signed a publick Inſtrument of the Tenour following, which is Word for Word, as here enſues.—— *Philip*, by the Grace of God, King of *Caſtile*, *Leon*, *Arragon*, the Two *Sicilies*, *Jeruſalem Navarr*, *Granada*, *Toledo*, *Valentia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Cordoba*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canary* Iſland, the *Eaſt* and *Weſt Indies*, the Iſland of *Terra firma* or the Ocean, Arch Duke of *Auſtria*, Duke of *Burgundy*, *Brabant* and *Milan*, Count of *Hapſpurg*, *Flanders*, *Tirol* and *Barcelon*, Lord of *Biſcay* and *Molina*, &c. By the Inſtrument of Renunciation, I do declare to Kings, Princes, Potentates, Commonwealths, Communities and particular Perſons. It was propoſed by *England*, and agreed on my part, and on the part of my Grandfather the King of *France*, That for avoiding the Union of the *Spaniſh* Monarchy with that of *France*, That reciprocal Renunciations, ſhould be made by me and for all my Deſcendants to come, by ſeperating my Branch from the Royal Stem of the Blood Royal of *France*, from the Stem of the Blood Reyal of *Spain*, it being agreed and ſettled to this end by *England*, with me, and with the King of *France* my Grandfather, That in Failure of me, and my Name, the Duke of *Savoy* and his Sons, are to enter upon the Succeſſion of this Monarchy, and in default of his Male Line, the Prince *Armadeo* of *Cardigan*, his Sons, and Deſcendants, being by this perpetual and never-ceaſing hope, the Needle of the Ballance may remain invariable and kept in an equal poiſe, which may ſettle by an unalterable Law the Succeſſion of what is to come, and for the Love I bare to the *Spaniards* and their repeated Fidelity to me, I have determin'd to abdicate for my-ſelf, and all my Deſcendants the Right of Succeeding to the Crown of *France*, and to live and dye with my Beloved and Faithful Subjects the *Spaniards*; and for all the Effects, which may take place in Right, and which may be derived from the delivery thereof under the Clauſes, Conditions, and Suppoſitions therein contain'd, I have commanded theſe preſents to be made out, Signed with my Hand and Seal of my Royal Arms, and counter-Signed by my Secretary of of State, and chief Notary of theſe my Kingdoms, at *Buen Retiro*, 7th *March* 1712.

(*L. S.*)

I the King,
Manuel de Vadillo y Velaſco.

Read and Publiſh, the Court being Aſſembled, and Regiſtered in the Roles of the Court of the Kings Advocate general being heard and moving for the ſame, to the end that it may be executed according to the Form and Tenor thereof, in purſuance of, and in conformity to the Act of this Day; at Paris *in Parliament.* 15th *of March.*

Signed

DONGOIS.

I *Don Franciſco Antonio Quintanilla* Knight of the Order of St. *James* one of His Majeſties Council and Secretary of the Chamber and State of *Caſtile*, publick Notary and Writer in His Kingdom.

doms and Dominions. —— Do Certify, that the most humble Representation made by the Kingdom, laying our selves at the Royal Feet of his Majestey, giving him Thanks for the great favour He has been pleas'd to Honour and Exalt the Spanish Nation, by procuring this Monarchy the Ease of their desired Peace and Tranquility; And they desiring on their Part, to contribute to the Attaining the Royal Intention of His Majesty Assents to, and Confirms the Kings Renunciation for himself and his Descendants to the Sucession of the Monarchy of *France*, with this Circumstance, That the like Renounciation to this Crown of *Spain* to be Executed by the Princes of the Royal Family, and their Descendants; and likewise the perpetual Exclusion of the House of *Austria* from the Dominions of his Monarchy. And the King our Lord having agreed to this Writing of Renunciation, with all the Circumstances for its more inviolable and perpetual Observation. And this Cirtificate, Signed, with my Hand, Sealed with the Seal of the Royal Arms of his Majesty, I give by Vertue of His Royal Order, in the Paper of the Marquiss of *Mejorda* and of *Brena*, one of His Council, Gentlemen of His Chamber, His Secretary of State, and of the universal Dispatch.

At *Madrid* 9th *November*. 1712:

(L. S.) *Don Francisco de Quincoces.*

CHarle's Son of *France*, Duke of *Berry*, *Alenson*, and *Augouleseme*, Viscount of *Vernon*, *Andely*, and *Gisors*, Lord of the *Chatellenies* of *Coignac* and *Merpins*; To all Kings, Princes, Common-wealths, Communities, and to all other Bodies and private Persons, present and to come, be it known, That all the Powers of *Europe* have been almost Ruined by the present Wars, and the richest Monarchies and other Dominions, almost brought to Desolation; And in the Conferences, of Peace with *Great Britain*, It has been agreed, to Establish an Equilibrium, and Political Boundaries between Kingdoms, whose Interests have been the occasion of a Bloody Dispute: and, in order to preserve this Peace, the Forces become not so formidable to occasion any Jealousie, which cannot be settled more sollidly than by obstructing the extending of 'em beyond their Bounds, to the end the Weaker being United together, may be defended against the more powerful, and be able to support themselves respectively against their Equals.

For this purpose the King of *France*, our Grand-Father, and the King of *Spain* our Brother have concluded with the Queen of *Great Britain*, that Reciprocal Renunciations shall be made by all Princes of the Crown of *France*, and that of *Spain*, of all Rights which may appertain, to each of them by Establishing an Habitual Right to the Succession of *Spain*, and declared immediately after that of King *Phillip* the V. our Brother, by the Estate of *Spain*, by making an immoveable Balance, to maintain the said Equilibrium intended to be placed in *Europe*, to serve for an Example to all such as may happen. It has been Concluded betwixt *France*, *Spain*, and *Great Britain*, that King *Phillip* shall Renounce from himself and Descendants, the Hopes of Succeeding to the Crown of *France*, and that on our Side, we shall Renounce the Crown of *Spain*, and the Duke of *Orleans* shall do the same Thing; and lastly, care shall be taken, that the House of *Austria* shall not make any pretentions to the Succession of *Spain*. —Being willing to Abdicate all our Rights for us and our Successors, and Descendents to the securing the Peace of *Europe*, believing this Method is the surest and most effectual to accomplish the same; and by reason the King of *Spain* our Brother did the 5th of *November*, make his Renunciation of the Crown of *France*, so we of our freewill do hold our selves also absolutely Excluded for ever, from all Rights of Succeeding to the Crown of *Spain*; in like manner all the Disendants of the House of *Austria*, who as it has been said and supposed, ought also to be Excluded, in what ever Degree we may be, both the one and the other. — And we Relinguish all means ordinary or extraordinary, which by common Right, or by any Special Priviledge might belong to us, our Children and Disscendants, which means we likewise Renounce absolutely. ——— And for the greater Security of all, We say promise, and do Swear solemnly, on the Gospels contain'd in this Missal, upon which We lay our right Hand, that we will keep the same in all and every Part thereof. That we will never ask to be relieved from the same, and if any one do ask it for us, or if it be granted us *Mota proprio*, we will not make use, or take advantage of it. ——— We Swear and Promise, That we have not, neither will we make in Publick or in Secret any Protestations or Reclamation to the contrary, which may hinder what is contain'd in these Presents, or lessen the Force thereof; and if we should make any, whatever Oaths they may be accompained with, they shall not have any Force or Vertue, or produce any Effect. ——— In Witness whereof, and to render these Presents Authentick, they have passed before Masters *Alexander le Fevre*, and *Anthony le Moyre* Councellors to the King, Notaries, Minute-keepers to the King, and Seal, keepers in *Charlet* of *Paris*. At *Marly* 24th of *November*. 1712, before Noon, and has Signed the present *Duplicate* and an other,

and

and the Minute remaining in the Hands of the said *Le Mayne* Notary.

Signed

CHARLES.

Le Fevre, Le Mayne.

WE *Jerome d' Argouges* Knight, Councellor to the King in his Counclis, *Honary*, Master of the Requeſt of his Houſhold, Civil Lieutenant of the City, Provoſtſhip and Vicounty of *Paris*, do Certifie that Mr. *Alexander Le Fevre* and *Anthony Le Mayne*, who have Signed the aforeſaid Act, are Councellors to the King, Notaries, Minute-keepers to his Majeſty, and Seal keepers at the Chatelet of *Paris*; and that Credence is to be given as well in Court, as out of it, to the Act received by them. In Witneſs whereof we have Sign'd theſe Preſents, cauſed the ſame to be Counter-Sign'd by our Secretary, and the Seal of our Arms to be affixed. At *Paris* 24th of *November*. 1712.

Signed

D' Argonges.

By my ſaid Lord

BARBEY.

Read and Publiſhed the Court ſitting and Regiſtred in the Rolls of the Court, in purſuance of and in Conformity to the Acts of this Day. At Paris *in Parliament*, 15th *of* March. 1713.

Signed

DONGOIS.

PHILIP, Grandſon of *France*, Duke of *Orleans*, *Valois*, *Chartres*, and *Nemours*; To all Kings, Princes, Common-Wealths, Potentates, Communities, and unto all Perſons, as well preſent, as to come, We make known, That the Fear of the Union of the Crowns of *France* and *Spain*, having been the Principal motive of the preſent War, and other Powers of *Europe*, imagining theſe two Crowns wou'd come upon one Head; and to prevent the Dangers which they thought themſelves threatned with; and to lay the Foundation of a laſting Peace; have thought it neceſſary to Eſtabliſh a kind of Equality and Equilibrium between the Princes, who were in Diſpute, and to ſeperate for ever, in an Irrevocable manner, the Rights which they pretended to have, and which they Defend Sword in Hand, with a Reciprocal Slaughter on each Side. —— That to eſtabliſh this Equality upon the Inſtances of the Queen of *Great Britain*, it has been agreed by the King our Uncle, and Catholick King our Nephew, that for avioding the Union of the Crowns of *France* and *Spain*, Recriprocal Renunciations ſhould be made, by the Catholick King *Philip* V. of the Succeſſion to the Crown of *France*, as alſo by the Duke of *Berry* our Nephew and by us, of the Crown of *Spain* on Condition, that neither the Houſe of *Auſtria*, nor any Deſcendants thereof, ſhall ſucceed to the Crown of *Spain*, becauſe this Houſe without the Union of the Empire, wou'd become formidable if it ſhou'd add a new Power to its Antient Dominions. Now without this Equilibium, either the States ſuffer from the weight of their own Greatneſs, or Enemies engages their Neighbours to make Alliances to Attack them, and ſo reduce 'em that they may not aſpire to an Univerſal Monarchy. —— For attaining the End propos'd, the *Spaniſh* King having made his Renunciation, the 5th of this preſent Month: We conſcent, that in failure of *Philip* and his Iſſue-Males and his Deſcendants: the Crown of *Spain* do paſs to the Duke *Savoy*, and for Re-eſtabliſhing the publick Tranquility, and preventing the Fears our Right might occaſion, have reſolved to make this Renunciation of all our Rights of ſucceeding to the Crown of *Spain*, and do eſteem our ſelves Diſabled, cut off, and Excluded for ever: And if for this Reaſon the Succeſſion to the Crown of *Spain* be deem'd to be Devolved, and Tranſer'd to him, to whom the Succeſſion of *Spain* ought to be Transfer'd in ſuch a Caſe, ſo that we do take and hold him for True and Lawful Suceeſſor, and any Right therein which might appertain to us and our Deſcendants, we Relinquiſh the ſame, and Renounce it for us, and for them for ever: We promiſe and engage for us, our ſaid Children and Deſcendants preſent and to come, to employ our ſelves with all our might, in cauſing theſe Preſents to be Obſerved and Fulfilled, nor the ſame to be Violated by us in whole or in part. And if under this pretex't or colour, we would poſſeſs the ſaid Kingdom of *Spain* by Force of Arms; that the ſaid War be an Unlawful and Unjuſt undertaking. —— And for the farther aſſurance of all we ſay, we do ſolemly Sewar on the Holy Goſpels contain in this Miſſale, that we will keep, maintain, and fulfill the ſame wholy and intirely. —— And we Promiſe and Swear, That we have not made, neither will we make either in Publick or in Private, any ſecret Poteſtations or Reclamations to the contrary, which may hinder the ſame, or leſſen the force thereof. —— And for greater Security, we have paſſed, and do paſs this preſent Act of Renunciation, Abdicaton and Relinquiſhment before Mr. *Anthony Le Mayne*, and Mr. *Alexander Le Fevre*, Councellors to the King, &c. in our Palace Royal at *Paris*, 1712. 19th of *November* before Noon; and for cauſing theſe Preſents to be Inſinuated and Regiſtred in every Place where it ſhall appertain; we have Conſtituted the Bearer to be our Attorney, and we have Signed theſe Preſents, and the Minutes thereof remaining in the poſſeſſion of the ſaid *Le Fevere*, Notary.

Signed

Philip of *Orleans.*

Le Mayne Le Fevre.

We

WE *Jerome d' Argongas*, Knight, Lord of *Fleury*, Councellor to the King in his Councils, *Honary* Master of the Requests of his Houshold, Lieutenant Civil of the City, Provostship, and County of *Paris*; do certify whom it may concern, That Mr. *Anthony Le Mayne*, and *Alexandr Le Fevre*, who signed the Act of Renunciation of the other part, are Councellors to the King, Notaries at the *Chatelet* of *Paris*, and that credence is to be given as well in Judgment as out of the same to the Acts by them receiv'd. In Witness whereof we have signed these Presents, caused the same to be Counter-signed by our Secretary, and the Seal of our Arms to be affixed. At *Paris* 21*st* of *November*. 1712.

D'ARGOUGES

By my said Lord

BARBEY.

The Court being Set, it was Read, Published, and Registered in the Rolls of the said Court, the King's Attorney General requiring the same, and that it was to be Executed according to the Form and Tenor thereof, in Conformity to the Acts of the Day. At Paris *in Parliament, the* 15th *of* March. 1712.

Signed

DONGGSS.

The King's Letters, Patents, for Philip V. *King of* Spain *to Inherit the Crown of* France, (*are in the following Treatises made Voi*:,) *on the Month of* December. 1700.

LEWIS, by the Grace of God, King of *France* and *Navarre*; To all Present and, to come Greeting. The prosperities as it has pleased God to heap on us, during our Reign, are so many Motives to apply our selves to the Happiness and Tranquility of our People, and that We ought not to place our Confidence in our Forces, nor in the extent of our Dominions, nor in a Numerous Posterity, and that these Advantages have no other Solidity then what the Almighty pleases to give them; and that King's shou'd be so Wise as to fore-see Events able to produce Dustructive Wars, That they should lay hold of 'em in the midst of Rejoycings as a thing possible to happen, which we pray God to prevent for ever from our Dominions.——At the same time that We accept the Will of the late King of *Spain*. That our most dear and most beloved Son the Dauphin Renounces his Lawful Right to the Crown in favour of his Son the Duke of *Anjou*, our most dear and beloved Grand-Son instituted by the late King of *Spain*, his universal Heir. That this Prince known at present by the Name of *Philip* the V. King of *Spain* is ready to Enter his Kingdom, and to answer the earnest Wishes of his new Subject. Wherefore being persuaded that the King of *Spain* will always preserve for Us, the same Tenderness He has given Us so many proofs of, by Uniting His new Subject to ours, will form a perpetual Amity, and the most perfect Correspondance between 'em; and We shou'd think likewise that We do Him an Injustice, if we should hereafter look upon Him as a Stranger, a Prince, whom We grant to the unanimous Request of the *Spanish* Nation: for these Causes and other great Consideration; We declare, and it is our Will and Pleasure, That the King of *Spain* our Grand-Son, do preserve for ever the Rights of his Birth to the Crown of *France*, in the same manner as if He had made His actual Residence in Our Kingdom, and after His Decease, his Heir Males begot in Lawful Marriage, shall come into the said Succession; notwithstanding they may be Born or dwell out of our Kingdom; and so We give it in Command to be Registred in our Court of Parliament, and Chamber of Accounpts at *Paris*, and We have caused our Seal to be put to these presents; Given at *Versailles*, in the Month of *December*, in the Year of our Lord 1700 and of our Reign 58th.

Signed

LEWIS.

Registred, the Kings Attorney General being heard, and requiring the same to be Executed according to their Form and Tenour, Pursuant to the Act of this Day at Paris *in Parliament, the* 1st *of* February. 1701.

Signed

DONGOIS.

NOW whereas tis Provided and Settled by the preceding Renunciation, (which is always to have the force of a Pragmatick, Fundamental, and Inviolable Law,) That at no time whatever, the Catholick King Himself, or any of His Lineage shall seek to obtain the Crown of *France*, or Assend the Throne thereof; and by Reciprocal Renouncciations on the part of *France*, and by Settlements of the Hereditary Succession there tending to the same purpose; the Crown of *France* and *Spain* are so divided by the said Renunciations, that they can never be joyn'd in one. —— Wherefore the Queen of *Great Britain*, and the most Christian King Engage to each other Solemnly, and on their Royal Words, that nothing shall be done

done by them, or their Heirs and Succeſſors, or allowed to be done by others, to the Prejudice of the ſaid Renunciations, and with joint Councils and Forces will take care to Defend and Preſerve 'em untouch'd for ever.——— And the moſt Chriſtian King Conſents, He will not obtain of any other Uſage of Navigation and Trade to *Spain*, and the *Spaniſh Weſt Indies*, than was Practiſ'd there in the time of the late King *Charles* II. of *Spain*, or than what ſhall be fully given at the ſame time to other Nations and People concern'd in Trade.

The Reſt of the ARTICLES *follow.*

VII.

That there be a free Navigation and Commerce between the Subjects of both Kingdoms as formerly, and as it is Concluded this Day between the two Nations.

VIII.

That Juſtice be Revived again through the Dominions of both Kingdoms, for all Subjects on both ſides to obtain their Rights, Pretentions and Actions according to the Laws and Statutes of each Kingdom.

IX.

That *Dunkirk* be Razed, the Harbour filled up, and the Sluices or Moles of the Harbour be Levelled at the *French* King's own Expence, 5 Months after the Peace is Signed; the Fortifications towards the Sea in two Months, and thoſe towards the Land, together with the Banks in Three Months, and never to be Repair'd again: However, they are not to be ruin'd until every thing as an Equivalent, is put into his Hands inſtead thereof.

X.

The moſt Chriſtian King ſhall Reſtore to the Queen of *Great Britain* to be poſſeſſed in full Right for ever, of the *Bay* and *Streights* of *Hudſon*, with all its Lands, Seas, Sea-Coaſts, Rivers and Iſles ſituate in the ſaid *Bay*, and *Streights* belonging thereunto, no Tracts of Land or of Sea being excepted, which at preſent are poſſeſſed by the Subjects of *France*, and all the Buildings thereon ſhall, within ſix Months from the Ratification of this Treaty, be well and truly delivered to to the *Britiſh* Subjects, having Commiſſion from the Queen to Demand and Receive the ſame entire and Undemoliſhed, with all Canon, Powder and Ball, and other Warlike Proviſions belonging to the ſame; and it is provided that the King of *France's* Subjects may go whitherſoever they pleaſe by Land or by Sea, out of the Lands of the ſaid *Bay* with all their Goods, Arms, Merchandice and Effects of what Nation or Condition ſoever, and Commiſſioners named on both ſides in order to ſettle the Limits to be fixed between the ſaid *Bay* of *Hudſon*, and the Place appertaining to the *French*, and the Boundaries between the other *Britiſh* and *French* Colonies in thoſe Parts.

XI.

The ſaid moſt Chriſtian King ſhall take care Satisfaction be given to the *Engliſh* Company Trading to *Hudſon's Bay*, for Damages done to their Collonies, Ships, Perſons and Goods during the War, and to other the *Britiſh* Subjects, concerning Ships taken by the *French* in time of Peace, and alſo ſeveral Damages ſuſtained laſt Year in *Montſerat*; and Complaints of the *French* relating to the Capitulation of *Nevis*, and *Caſtle Gambia*; alſo to *French* Ships taken by *Britiſh* Subjects in the time of Peace, and unto all Diſputes which are not ended, due Juſtice ſhall be done on both ſides without delay.

XII.

The moſt Chriſtian King ſhall cauſe to be delivered to the Queen of *Great Britain*, on the ſame Day that the Ratifications of this Treaty ſhall be Exchanged, Solemn and Authentick Letters, or Inſtruments in order to poſſeſs Saint *Chriſtophers* Iſland *Nova Scotia*, or *Arcadia*, with its Antient Boundaries, alſo *Port Royal*, now called *Annapolis Royal*, and all things now belonging to the ſame with the Dominion and Property thereof, which *France* or his Subjects have hitherto Enjoy'd, and the Inhabitants thereof, are yielded and made over to the Queen of *Great Britain*, and to the Queen for ever; and the King of *France* ſhall hereafter be Excluded from *Fiſhing* in the ſaid Seas, Bays and other Places on the Coaſt of *Nova Scotia*, that is to ſay on thoſe which lie towards the *Eaſt*, within 30 Leagues, beginning from the Iſland commonly called *Sable*, inclusively, and thence ſtretching along towards the *South-weſt*.

XIII.

Newfoundland, with the adjacent Iſlands, ſhall from this time forward, belong, of Right, wholly to *Britain*, and *Placentia* with the Town and Fortreſs, and all other Places in Poſſeſſion of the

French, yielded up within 7 Months after the Exchange of the Ratifications, or sooner, by the King of *France*, who have a Commission from *England* to that purpose; nor shall *France* ever lay claim to any Right to the said Islands; nor shall the Subjects of *France* Fortify any Place in the said Island of *Newfound-land*, or Erect any Buildings, besides Stages made of Boards and Huts for drying of Fish, the *French* may Fish, and dry 'em on Land in *Newfound-land*, in that part stretching from *Cape Bonavista*, to the *Northern* Point of the said Island, and from thence running to *Point Riche*: But *Cape-Breton*, as also all others both in the Mouth of the River of St. *Lawrence*, and in the Gulph of the same Name, shall hereafter belong to *France*, and his Majesty has all manner of Liberty to Fortify any Place or Places there.

XIV.

It is expresly provided, That in all the said Places and Colonies, to be yielded to *Great Britain*, the Subjects of *France* may have liberty to remove themselves, in a Year, to any other Place with all their moveable Effects, but such as will stay are to be subject to *England*, and are to Enjoy the free Exercise of their Religion as is used in the Church of *Rome*, as far as the Laws of *Great Britain* do allow the same.

XV.

The Subjects of *France* Inhabiting *Canada*, and others, shall give no Molestation to the Nations or Cantons of the *Indians*, subject to the Dominions of *Great Britain*, nor to the other Natives of *America*, who are Friends to the same; and the Subjects of *England* shall behave themselves Peaceably towards the *Americans*, who are Subjects or Friends to *France*; and on both sides they shall enjoy full Liberty of going and coming on account of Trade; and so shall the Natives of those Countries, without any Molestation given to 'em by the *English* or *French*; all which to be exactly Setled by Commissioners of both Nations, to be accounted the Subjects and Friends of *Great Britain* and *France*.

XVI.

That all Letters of Reprisal, as of Mark, and Counter-Mark, Granted on either side, shall be Null and of no Effect, and none to be Granted on either side, unless of a wrongful Delay, and denyal of Justice; and unless on Petition of such who desire Letters of Reprisal, be shewn to the *Minister* residing there, and within 4 Months, if Satisfaction be not forthwith given by the Party Accused; but in case no *Minister* be residing there from that Prince, against whose Subjects Reprisals are Demanded, that Letters of Reprisal may be so Granted when denyal of Justice is refused.

XVII.

It is expresly Stipulated among the Conditions 1711, 12th Day of *August* last past, and prolonged for 4 Months more, in what Cases Ships, Merchandise and other Effects shall become Prize, or Restored, 'tis agreed in those Cases, that the Suspension of Arms shall remain in full Force, made in the *British* or Northern Seas, or in any other Place, shall be truly Executed according to the Tenor of the same.

XVIII.

But if it happen, that any Subjects (through Inadvertancy) of *Great Britain* and *France*, do commit any thing by Land or Sea, or in any part of the World, contrary to this Treaty, or any particular Article thereof, this Peace and good Correspondence between *Great Britain* and *France* shall not be broken, but remain in full Force and Vigour, and that Subject alone shall be Answerable for his own Fact, and Suffer Punishment according to the Laws of Nations.

XIX.

However, in case (which God forbid) the Dissensions which hath been laid asleep, should at any time be Renewed between the two Kingdoms of *England* and *France*, or their Successors, and break into open War, the Ships, Merchandise and all the Effects, moveable and immoveable, found in the Ports or Dominions of the Adverse Party, shall not be Confiscated, or Damaged, but 6 Months shall be allowed from the Day of the Rupture, to Sell or part with their immoveable and moveable Effects, or carry them whether they please, without Molestation, and Retire from thence themselves.

XX.

Just and Reasonable Satisfaction shall be given to all the Allies of the Queen of *Great Britain*, in all Matters they have to demand from *France*.

XXI.

The King of *France* will Grant the Empire all Things Relating to their Religion, as formerly in

in the Treaties of *Weſtphalia*, neither will he have, or wou'd have had any Alteration made in the ſaid Treaties.

XXII.

He alſo Engages, after Peace is concluded, to do Juſtice to the Family of *Hamilton*, touching the Dukedom of *Chatelraut*, to the Duke of *Richmond* concerning ſuch Requeſt as he has to make in *France*, and to *Charles Douglas*. for Reclaiming certain Lands to him and others.

XXIII.

He alſo Grants, That the Subjects of each Party taken Priſoners in the War, ſhall be ſet at Liberty without Ranſom, they paying ſuch Debts they may have there Contracted while Priſoners.

XXIV.

'Tis mutually agreed, That all and ſingular the Conditions of Peace between the King of *France* and the King of *Portugal* be Confirmed by this Treaty, and the Q. of *Great Britain*, takes on her ſelf to be Guarranty, that it may be more firmly obſerved.

XXV.

The Treaty of Peace made between the King of *France* and the Duke of *Savoy*, is concluded in this Treaty; and her Majeſty of *Great Britain*, expreſly Declares, ſhe will be bound for the Security thereof, as ſhe has formerly taken upon her Self ſo to do.

XXVI.

The King of *Sweden*'s Dominions and Rights, the Duke of *Gennerſis*, *Tuſcany*, the Republick of *Genoa*, and the Duke of *Parma*, are in the beſt manner included in this Treaty.

XXVII.

The Queen of *Great Britain* and the King of *France* have comprehended in this Treaty the *Hans-Towns*, namely *Lubeck*, *Bremen*, and *Hamburg*, and the City of *Dantzick*, and may Enjoy their Ancient Advantage of Trade as heretofore.

XXVIII.

Thoſe ſhall be comprehended in this Peace, as are named by Common Conſent on both ſides before the Exchange of the Ratifications, or in Six Months after.

Laſtly,

XXIX.

Laſtly, Solemn Ratifications of this preſent Treaty, ſhall be exhibited on both ſides at *Utretcht*, and *Exchange* in four Weeks, from the day of Signing, or ſooner if poſſible.

XXX.

In Witneſs whereof We the unde written Ambaſſadors Extraordinary, and Plenipotentiaries of the Queen of *Great Britain*, and the moſt Chriſtian King have put our Seals to theſe preſent Inſtruments, Subſcribed with our own Hands at *Utretcht* 31 of *March*, and the 11th Day of *April*, in the Year 1713.

(*L. S.*) *John Briſtol.* C. P. S. (L. *S. Huxelles*
(L. *S.*) *Straſford.* (L. S.) *Meſnager.*

The Queen's Commiſſion under the Great Seal for Concluding the PEACE.

ANNE by the Grace of God, Queen of *Great Britain*, *France* and *Ireland*, Defender of the Faith, &c. To all to whom theſe Preſents ſhall come, Whereas the Congreſs held at *Utrecht* for making a general Peace, is by the goodneſs of God, happily brought to a Concluſion: We having at laſt adjuſted with our Brother the King of *France*, all our Matters on both ſides, relating both to Peace and to Commerce; and Our Miniſters, with the higheſt Approbation, have diſcharged this Employment, may with the greater Splendor put an End to this moſt wholſom Work, have thought fit to make 'em our Ambaſſadors Extraordinary: And do appoint the Right Reverend Father in God, *John* Lord Bp. of *Briſtol*, Keeper of our Privy Seal, our Well-beloved Couſin and Counſellor, *Tho.* Earl of *Straſford* Vicount *Wentworth*, our True, Certain, and undoubted Ambaſſadors Extraordinary, Granting them full Power to meet at *Utrecht* with the Ambaſſadors Extraordinary of the moſt Chriſtian King to Agree to and Conclude a Safe, Laſting and Honourable Conditions of Peace and Friendſhip between us and the ſaid moſt Chriſtian King, in as Ample Manner and Form as We our ſelves might do and perform, if we were preſent: Engaging our Word, We will Accept, Approve and Ratify it, in the ſame Manner and Form as they have agreed thereto. In Witneſs and Confirmation whereof, We have commanded our Great Seal of *Great Britain*, to be affixed to theſe Preſents. Signed with our Royal Hand. Given at our Palace of *St. James's* 24 *March* 1712, and 13. the 12th of our Reighn.

The French King's Commiſſion under the Great Seal, for Concluding the PEACE.

LEWIS by the Grace of God, King of *France* and *Navarre*. To all who ſhall ſee theſe Preſents.

Greeting. Whereas we have omit ted nothing for the Re-eſtabliſhing a ſolid Peace, as our Siſter the Queen of *Great Britain* has ſhewn the ſame Deſire, and for the effecting the ſame, and repoſing Truſt and Confidence in our well-beloved Couſin the Marquiſs *D'Huxelles* Mareſchal of *France*, Knight of our Order, and our Lieutenant General of the Government of *Burgundy*, and in our Dear and Well-beloved the *Sieur Meſsnager*, Knight of the Order of *St. Michael*. For theſe and other good Conſiderations us hereunto moving, we have deputed them, our Ambaſſadors extraordinary, to treat with the Ambaſſadors extrordinary of our ſaid Siſter, to Agree, Co clude, and Sign ſuch Treaties of Peace, as ſhall be agreeable and Advantageous to us and our Subjects, and they may Act in all things touching this Affair with our ſaid Siſter, wi h the ſame Authority as we ſhould do, if we were preſent in Perſon, we Promiſe on the Faith and Word of a King to approve and fulfil, and keep Firm and Laſting all that the ſaid Abaſſadors ſhall ſtipulate, Promiſe and Sign, by Vertue of this preſent Power, as likewiſe to Cauſe our Letters Ratifying the ſame to be Exchanged with in the time agreed on, for this is our Pleaſure. In Witneſs whereof we have cauſed our Seal to be affixed to theſe p ſents. Given at *Verſaillis* the 4th *March* in the Year of our Lord 1713. and of our Reign the Seventieth. Signed *Lewis*, and on the fold down, by the King.

Colbert.

The Treaty of Navigation and Commerce, ſettled, between the Queeen of Great Britain's *Subjects, and the Subjects of the Moſt Chriſtian King of* France.

FULL Power being given on both Sides to their Plenipotaries, and Ambaſſadours extraordinary before named, to renew the former Treaties of Commerce, between the two Kingdoms, a d to ſo adapt them to the preſent State of Affairs. Whereupon the ſaid Ambaſſadors to the end, that the ſaid Deſign of their Royal Majeſties, which is ſo Pious and wholſom, might attain the deſired Effect, having had ſeveral Conferences upon that Affair, and having adjuſted the Principal Matters on both Sides, as far as they cou'd in ſo ſhort a time, after having Communicated to each other, and duly exchanged the full Powers wherewith they were provided for this Purpoſe, Copies whereof are inſerted Word for Word at the end of this Inſtrument, have agreed upon Articles of Navigation and Commerce, in Manner and Form, as follows.

I.

It is agreed between *Great Britain*, and *France*, That there ſhall be a perfect Liberty of Navigation and Commence between the Subjects of both Nations thro' all their Dominions belonging to each Crown, concerning all kinds of Goods in thoſe Places, and on thoſe Conditions as is ſettled in the following Articles.

II.

That the ſaid Commerce and Friendſhip between the ſaid Subjects, may be Secure and Free, without any Moleſtation, 'tis concluded; that if it ſhould happen any miſunderſt nding or Breach of Friendſhip betweeen the ſaid Crowns, Six Months time is given on both Sides, to ſell, part with, or carry with 'em into any other Country their Goods, Merchandizes or Eſtates, neither ſhall their Perſons or the ſaid Goods, in that time, be Detai ed, Arreſted, or Seized.

III.

'Tis agreed, that none of the Subjects of either Nations ſhall Exerciſe any Acts of Hoſtilities and Violence again each other by Sea nor by Land on any pretence whatſoever, either by Patent Commiſſion, or Inſtruction for Arming or Acting at Sea as Privateers, nor Letters of Reprital from any Princes or States which are Enemies to one ſide or other, under the ſevereſt Puniſhment that can be Inflicted on the Trangreſſors, beſides Reſtitution and Satisfaction given to thoſe they may have damaged, except Juſtice is deny'd to ſuch Perſons who deſires Letters of Repriſal, and they be communicated to the Princes Miniſters reſding there, on that part of the ſaid King or Queen againſt whoſe Subjects they are to be granted, that within the ſpace of four Months, or ſooner, if it be poſſible, he may evince the contrary, or procure the performanee of what is due to Juſtice.

IV.

That the Subjects of the aforeſaid Confederates ſhall have free Liberty without Licenſe or Paſports by Land or Sea, to go into any Kingdoms, Dominions or Territories of the other Confe erates in *Europe* there to enter, and return, or to paſs thro' the ſame, and in the mean time, to Buy and Purchaſe, as they pleaſe, all things neceſſary for their Uſe, and ſhall be treated with all Kindneſs and Favour, provided they comport themſelves Conformable, to the Laws and Statutes of the Land, and converſe Friendly and Peaceably, and keep a good Underſtanding.

V.

The ſaid Subjects have Licenſe, with Ships, to Trade, Merchandize and Import, any Goods on Board the ſame (which are not prohibited) to any of the Land and Counties in their Dominion in *Europe*, and to Reſide there, without Limitation to hire Houſes, for to Lodge, and to buy all lawful

ful kind of Marchandize when they think fit, and lay them up in Warehouſes, or expoſe to Sale any Goods brought from other Parts by Wholeſale not by Retail in Shops, &c. and they are not to be Loaded with any Impoſitions or Taxes, except what are paid for their Ships and Goods according to the Laws and Cuſtoms in each Kingdom; and they ſhall have free leave to remove themſelves; or if Married there, their Wives, Children, Servants, and all their Wares, Goods, and Effects, whereſoever they ſhall think fit; and there ſhall be an entire Liberty allow'd to the Subjects of each of the Confederates, and to their Families (and not be compelled to go to their Churches) to go to their own Religions and Exerciſes, after their own manner performed, altho' it be forbid by the Laws of the Kingdom, privately and within their own Walls, and without the admittance of any other Perſon whatſoever. Moreover, Liberty ſhall not be refuſed to Bury the Subjects of either Party, who Die in the Territories of the other; and Decent Places to be appointed for that purpoſe, neither ſhall thoſe Dead Bodies Buried be any ways moleſted.

VI.

The Subjects of each Party, ſhall pay the Tolls, Cuſtoms, and Duties, of Import and Export, thro' all the Dominions and Provinces of either Party, as are due and accuſtomed, and Tables thereof ſhall be made, and hang up in publick Places, ſhewing the ſame whereunto Recourſe may be had, if any Diſpute ſhou'd ariſe on paying the ſame; and if any Officer exact any Sum of Money, on Account of Right or Compenſation, under the Name of Free Gift, then what is preſcribed as aforeſaid, the Officer or his Deputy, if he be found Guilty, ſhall give full Satisfaction to the Party ſo wrong'd, and ſhall likewiſe be Puniſhed according to Law.

VII.

Neither Merchants, nor any Mercantel Perſons Goods, or Effects of one of the Confederates, ſhall on no publick or private Account (unleſs for Debt or Crimes) be Ceaſed, Taken, or Forced into any Dominions whatſoever, except the Owner is willing to go into any other Part with the ſame for ready Money.

VIII.

Furthermore it is agreed for a General Rule, That the Subjects of *Great Britain* and *France*, in all Countries and Places Subject to their Power on each ſide, touching Navigation and Commerce, ſhall Uſe and Enjoy the ſame Priviledges, and have the like advantages and favour in all things, as well in Courts of Juſtice, as in all things relating to Commerce or to any other Right whatever, which any Foreign Nation, the moſt favoured, has, uſes, and enjoys, or may hereafter have, uſe and enjoy.

IX.

That within the ſpace of two Months after a Law ſhall be made in *Great Britain*, whereby it ſhall be ſufficently provided that no more Cuſtoms, or Duties be paid for Goods or Merchandize of the like nature Imported into *Great Britain*, for any other Country in *Europe*; and that all Laws made in *Great Britain*, ſince the Year 1664, for Prohibiting ſuch Goods coming from *France* be Repeal'd, and the general Tarif made in *France*, of 18 *Sept.* 1664, ſhall take place again, and the Subjects of *Great Britain* ſhall pay for Goods Imported and Exported, according to the ſame, and no otherwiſe; and all Prohibitions, Tarifs, Edicts made in *France*, ſince 1664 and contrary thereunto, in reſpect to thh Goods and Marchandizes of *Great Britain* ſhall be Repealed. But *France* urges certain Exceptions to the Manufactures of Wool, Sugar, Salt Fiſh and of Whales, and 'tis agreed within two Months after the Ratification of this Treaty of Peace, that Commiſſioners on both Sides ſhall meet at *London* to Conſider of, and remove the Difficulties concerning the Marchandize to be ſo Excepted. And concerning the other Heads which as aboveſaid, are not holy Adjuſted; at the ſame time the ſaid Commerces ſhall endeavour, (which ſeems to be very much for the Intereſt of both Nations, ſo have them throughly Examin'd, and ſo find out beneficial means on both Sides from removing the Difficulties, and for regulating the Duties mutually, but Proviſion is made, that all the Articles of this Treaty do in the mean while Remain in full Force, and that nothing be deeem'd under any pretence to hinder the benefit of the general Tarif of the *June*. 1664. or that the Subjects of *Great Britain* from Enjoying the ſame, (which in the ſpace of two Months, after the ſaid Law is made in *Great Britain*, in as ample manner and form as the Subjects of any Nation, the moſt favour'd might have and enjoy the Benefit of the aforeſaid Tarif, any thing to be done, or diſuſed by the ſaid Commiſſioners to the contrary in any Wiſe notwithſtanding.

X.

Duties on Tobacco Imported into *France*, in Leaf or Prepared, ſhall pay the ſame moderate Rate as the Growth of any Country in *Europe* or *America*, brought into *France*. The Subjects on both ſides, ſhall pay the ſame Duties in *France*, for the ſaid Tobacco, and an equal Liberty of Selling, and the *Engliſh* to have the ſame Laws as the Merchants of *France* have and enjoy.

XI.

The Tax of 50 Sols *Tournois*, for every Ton on *Engliſh* Ships, ſhall be annulled, and ſo the Tax of 5 *per* Ton on *French* Ships in *Great Britain*, and no ſuch Impoſition be laid on em for the future on either ſide.

XII.

The Subjects of *Great Britain* to manage their own Affairs in *France*, or other Dominions belonging

longing to the *French* King, without the Aid or Assistance of any other, to Unlaid their own Goods every where if they please, or paying such as are Interpretors, or are Imploy'd by 'em in any of their Affairs; And the Subjects of *France* to have the same Liberty in *England* and else where belonging to the Queen of *Great Britain*.

XIII.

The Subjects of *Great Britain* and *France*, may by Will or Deed, give away their Estates, Effects, and all manner of things belonging unto them at their Deaths, and the lawful Heirs of either of them Residing in either of the Kingdoms, or comming from any other part, altho' they be not Naturalized, shall peaceably and quitly take Possession of the same according to the Laws of *Great Britain* and *France*, Respectively they proving the Wills according to Law, notwithstanding any Law, Statute, Edict. Custom, or *Droit D' Aubeine* whatever to the contrary notwithstanding.

XIV.

Disputes arising between Commanders of Ships and his Seamen in any Port about Wages, or other Causes, the Magistrates to take Declaration under the Hand of the Accused to the Accusor, Witnessed by the said Magistrates, whereby he shall be bound to Answer the matter before a Competent Judg in his own Country; this donethe Seamen not to Desert the Ship, or hinder the Captains Voyage Merchants to keep Books of their Affairs and Accounts, and to have an Intercourse of Letters in what Language they please, without any Search what ever; And for deciding any Dispute or Controversy toucingh their Affaires, shall be oblig'd to bring their Books or Writings into Court, but so as the Judge may not inspect any other Article in the said Books, (nor keep the same,) then such as relate to the matter in dispute, the Case of Bankcrupts only excepted, none but Day Books to be Wrot on Stam-Paper, because they may be produced as Evidence, the same Books to be Subscribed Gratis by the Judges, and Signed with their own Hands.

XV.

Not Lawful for Foreign Privateers, not being Subjects of one and the other of the Confederates that have Commissions from any other Prince or State in Enmity with either Nation, to fit out their Ships in the Port of one of the other of the aforesaid Parties to sell what they have Taken, or in any other manner whatever to exchange either Ships, Merchandizes, or any other advantage; neither shall they be allow'd, even to purchase Victuals, except such as shall be necessary for their going to the next Port of that Prince, from whom they have Commissions.

XVI.

The Ships of both Parties being forc'd by Storms into any Havens or Ports belong to the Crowns aforesaid, shall not be Oblidg'd to Unlade or Dispose of their Goods, but may Sell a part to Buy Provisions, or other such Necessaries, for Refreshment or Victualing the Ship with leave, and that small part so taken out, shall Pay Duties, and not the whole Lading of the Ship.

XVII.

The Subjects of the Queen of *Great Britain*, and of the most Christian King, may Sail with Security to any Port at Enemity with either of the said Monarchy, and Trade safety without Molestation given on either Side, or to Nuteral Places, or from one Enemy to another, under what Juridiction or Prince soever, and 'its also Stipulated, that the said Ships shall give a Freedom to the Enemies good, to purchased by either Side, and all shall be Free and Exempt, found on Board of 'em, Except Counterbands, Goods, and Soildiers in Actual Service of the Enemies.

XVIII.

This Liberty of Navigation and Commerce shall Extend to all kinds of Merchandies, excepting those only which follow in the next Article, and which are Signified by the Name of Counterband.

XIX.

The Counterband Comprehends Arms, great Guns, Bombs, with their Fuses, and other things belonging to 'em; Fire-Balls, Gun-Powder, Match, Cannon Ball, Pitch, Swords, Lances, Spears, Halbords. Morters, Petards, Granadoes Saltpeter, Muskets, Musket-balls, Helmets, Head-peices, Brest-Plates, Coats of Mail, and the like Kinds of Arms, proper for Arming Soldiers, Musket-rests, Belts, Horses with their Furniture, and all other Warlike Instruments whatever.

XX.

What are no prohibited Goods, all sorts of Cloaths and Manufactures, Woven of any Woolf Flax, Silk, Cotton, or other materials, and Wearing Apparel, and the Species they are made, of, Gold or Silver, as well Coined as Uncoyned, Tin, Iron, Lead Copper, Brass, Coals, as also Wheat, Barley, and all other kind of Grains, Tobacco Spices Salted or smoaked Flesh, Salt Fish, Cheese, Butter, Bear, Oils Wines, Sugars, Salt of all sorts, all manner of Provisions for Life, with all sorts of Cotton, Hemp, Flax, Tarr, Pitch, Ropes, Cables, Sails, Sail Cloathes Ankers

Ankers, par: of Ankers, Ship-Masts, Pinnack, Boards and Beams of what Trees soever, and all things proper for Building or Repairing of Ships, and all other Goods whatever not Worked into the form of any Instrument prepar'd for War, by Land or by Sea. Shall not be reputed for Conterband Goods, but Reckon'd among Free Merchandites may be Transported by the Subjects of both onfederates, even to Places belonging to an Enemy, except Towns Beseiged, Block'd up, or Inuested.

XXI.

That all Divisions and Quarrels may be avoided and prevented, 'tis agreed, If any one of the Confederates shou'd be ingaged in War, the Ships or Vessels belonging to the other Allies, shall take Passports, Expressing the Name, Property or Bulk of the same, the Name or Place of abode of the Master or Commander, and that the said Ships or Vessels belonging to the Subjects of such a Friend; as also Certificates containing the Lading of the Cargo, and whether she is bound, and from whence they came, to prevent the Carrying off Counterband Goods, the same to be made out by the Officers, from whence the Ship set Sail.

XXII.

If the Subjects of either of the Considerates are not willing to enter in any Port, or being Enter'd, are not willing to sell their Cargoes, they shall not be oblidge to discover their Lading, unless upon sure Evidence, that they carry Counterband Goods for the Enemies.

XXIII.

And to give satisfaction upon such a suspicion the Subjects of each Nation shall exhibit their Past Ports and Certificates in the manner before Specify'd.

XXIV.

If the Ships of the Subjects aforesaid shall meet with Men of War or Privateers, for preventing inconveniences, are to remain out of Cannon Shot, and to send a Boat to the Merchants Ships, met with, and shall enter her with two or three of their Men only; and shew its Passports to vouch their Property, and she shall have free passage, not searched, or be compelled to quit her Intended course.

XXV.

But if a Merchant Ship intends to sail to an Enemy's Port, she shall shew her Passports and her Certificates on the High Seas, or else where that she has not any Counterband Goods prohibited by the Nineteenth Article.

XXVI.

But after the Exhibiting the Certificates aforesaid, Conterband Goods should be found on board, designing for the Port of the Enemy, the Hatches shall not be opened, no the Chests, Packs, or Casks therein, nor to remove any Parcel therein, unless the Lading be brought on Shore in the presence of the Officers, a Court of Admiralty, and an Inventory made thereof; there shall be no Allowance to sell or Exchange the same unless Confiscated by the Admiralty; and all other Deeds are to be esteemed free, tho' infected by the Prohibited Goods; and the Prohibited Goods being delivered up to the Captor, he shall forthwith discharge the Ship, and not hinder her Voyage.

XXVII.

If any Goods Laden by the Subjects of either Party, on any Ships belonging to one or the other, the same may be Confiscated as if it belong'd to the Enemy, Except those Merchandizes were on Board before the Declaration of War, or even after such Declaration, if done within the times Limited following, if they were put on Board in any Port or Place Six Weeks after such Declaration, within the Bounds called the *Maze* in *Norway*, and the *Soundings*; of Two Months from the *Soundings* to the City of *Gibralter*, of Ten Weeks in the *Mediterranean Sea*, and of Eight Months in any other Country or Place in the World, whether they be Counterband or otherwise, if they were put on Board before this Declaration, or after within the the Times aforesaid, they shall no ways be Confiscated; and if they be Counterband, they shall not afterwards carry 'em to the Port of the Enemy.

XXVIII.

And for the better Security of the Subjects of both Nations, That they suffer by no Men of War, or Privateers of the other Party, all Commanders shall be forbid doing any Injuries on the other side, and if they act the contrary, shall make Satisfaction for all cause of Damage by Reparation, under the Bond and Obligation of their Persons and Goods.

XXIX.

For this Cause all Privateers, before they receive their Commissions, shall give Bond, for, and sufficient Security in the whole Sum of 1500 *l.* Sterling, or 16500 Livres *Tournois*, if a Ship have above One hundred and Fifty Sea-men or Soldiers for the Sum of 3000 *l.* Sterling, or 33000 Livres *Tournois*, that they will make Satisfaction for any Damages done whatsoever, they commit during their Course at Sea, contrary to this present Treaty, under Penalty of Losing their Special Commissions.

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XXX.

'Tis agreed by the Princes aforesaid, That equal Favour and Justice shall be respectively done in their Dominions to each others Subjects, and their Courts of Admiralty to administer the same, according to the Rule of Equity, and the Articles of this Treaty, by such Judges as are above all Suspicion, and have no Interest in the Dispute.

XXXI.

If any shall Complain of the Unjustness of Sentences given against them, the Ambassadors residing in any Court, shall inform their Royal Kings or Governours of each side; and 'tis agreed, That they shall take care that the same be Examin'd in their respective Council, whether Justice has been done according to this present Treaty, and that Right be done within 3 Months space, and Caution taken after Judgment given, that Revision thereof still depending for avoiding of Damage, the Goods in Dispute shall not be Sold unless with the Consent of the Persons concern'd.

XXXII.

A Suit being commenced between the Captors and the Reclaimers, and Sentence being given in favour of the Reclaimer, that Sentence Security being given, shall be put in Execution, notwithstanding any Appeal to the contrary.

XXXIII.

In case Ships of War, or others, are forced by Storm of one or the other Party, and broken to pieces and Ship-wreck'd, whatever part of the Ships or Tackling thereof, as also of the Goods, that part which shall be saved shall be faithfully restor'd to the Proprietors, Reclaimers or their Factors, paying only the Expences of preserving the same, as it shall be setled by both sides, saving the Customs of each Nation, and that such of their Subjects may be severely Punish'd, who in the like Accident shall be found Guilty of Inhumanity.

XXXIV.

The Subjects of each Party, may employ such Advocates, Attorneys, Notaries, Solicitors, and Factors, as they shall think fit, and they may be appointed by the Judges if needful or required.

XXXV.

For the better Security of Freedom and Commerce and Navigation, none of the Princes aforesaid shall Harbour any Pirate or Robbers, in their Dominions, nor permit them to be receiv'd or protected; but shall cause them, and those who conceal them, or assist them, to be Apprehended and Punished according as they deserve, for a Terrour and Example to others; and all things so taken away, shall be restored to the Lawful Owners, or what can be found thereof altho' sold to others, having Authority sufficient for Reclaiming the same, and Indemnification shall be made up, or good Evidence given touching the property thereof.

XXXVI.

It is agreed, That Ships and Goods taken from the Enemy, shall not be oblig'd to pay any thing to the Officers of the Admiralty or to any other Judges; neither shall the Prizes be detained or arrested; neither shall Searchers or other Officers, make Examination concerning them or their Validity; but shall be at Liberty to hoist Sail at any time, to Depart and Carry their Prises to that Place mention'd in their Commission, which they shall be oblig'd to shew, and no Shelter shall be given to any Pirates in their Ports of either Nation, and by stress of Weather, such Ships do come in, they shall Retire elsewhere as soon as possible.

XXXVII.

The aforesaid Potentates not to suffer the Ships or Goods of any of their Subjects to be taken on their Coasts, by other Ships of War having Commission, and in case such should happen, both shall Use their Authority and Force, to make good the Damage.

XXXVIII.

If through Inadvertency, or otherwise, any Inconveniency should arise on either side, by not observing this Treaty as they ought, the Friendship and good Intelligence, shall not immediately be broke off, but the Treaty subsist in its full Force and Remedy shall be procured for removing or Reparation thereof, and if Subjects on either side be in Fault, they are to be severely Punished and Chastis'd.

XXXIX.

That if the Captor of any Ship or Vessel, do use any kind of Torture on the Master of any of the Ships Crew, belonging to the Subjects of the other Party, in such a Case the Ship Master and Goods, and all Persons belonging to the same shall be Released and set Free, and all such as shall be found Guilty of so great a Crime, shall suffer the most severest Punishment without any Respect of Persons.

XL.

The present Treaty to be Ratyfied by the Queen of *Great Britain* and the Most Christian King, and the Ratifications thereof duly exchanged at *Utrecht* within four Weeks, or sooner if possible.

In Witness whereof we the Under-written Ambassadors extraordinary and Plenipotentiaries of the Queen of *Great Britain*, and the Most Christian King, have set our Hands and Seals to this present Treaty, and *Utrecht* the 31st of *March* and the 11th Day of *April*, in the Year of our Lord 1713.

(L. S.) *John Bristol*, C. P. S.
(L. S.) *Straffford.*

(L. S.) *Huxelles.*
(L. S.) *Mesnager.*

FINIS.